FILE BOX 45

# WARRANTY DEED

Davidson County DEEDWARR
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Fees:13.00 Taxes:429.20
20041201-0142851

PATRICIA NICHOLLS NOTARY PUBLIC AT LARGE DAVIDSON COUNTY, TENN.

STATE OF TENNESSEE
COUNTY OF Davidson
THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS $ 116,000.00

Arturo Cruz
Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 30th day of November, 2004

Patricia Nicholls
Notary Public: Patricia Nicholls

MY COMMISSION EXPIRES: 01/29/05
(AFFIX SEAL)

**THIS INSTRUMENT WAS PREPARED BY:**
RICHARD A. NORTHCUTT, METROPOLITAN ESCROW, INC., 217 PINEWAY DRIVE, NASHVILLE, TN 37217

| ADDRESS NEW OWNER (S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP - PARCEL NUMBERS: |
|---|---|---|
| Arturo Cruz | CTX Mortgage Company | Map 43 |
| 753 May Dr. | 3100 West End Ave | Group 2 |
| Madison, TN 37115 | Nashville, TN 37115 | Parcel 100 |

FOR AND IN CONSIDERATION OF the sum of Ten Dollars, cash in hand paid by the hereinafter named GRANTEES, and other good and valuable considerations, the receipt of which is hereby acknowledged, we

**John Van Mater and wife, Lisa Van Mater**

hereinafter called the GRANTORS, has bargained and sold, and by these presents do transfer and convey unto

**Arturo Cruz, married**

hereinafter called the GRANTEES, their heirs and assigns, a certain tract or parcel of land in Davidson County, State of Tennessee, described as follows, to wit:

BEING Lot No. 57, on the Plan of Section Three, Farview (errorneously shown on prior deeds as Fairview), of record in Plat Book 3700, Page 113, Register's Office for Davidson County, Tennessee, to which plat reference is hereby made for a more complete legal description.

Being the same property conveyed to John Van Mater and Lisa Van Mater by deed from E. Lee Nell and wife, Louise W. Nell, of record in Instrument 20030114-0005791, said Register's Office, dated January 10, 2003.

This conveyance is subject to Restrictive Covenants of record in Book 4114, Page 452, Register's Office for said County.

This conveyance is made subject to: (1) 2004 taxes, which have been prorated and paid by the Grantors; (2) All matters appearing on the Plan of record in Plat Book 3700, Page 113, said Register's Office.

This conveyance is subject to any and all, recorded and unrecorded, zoning regulations, building restrictions and setback lines, easements and rights of way for public utilities.

Unimproved ( )

This is Improved ( X ) property, known as 753 May Dr., Madison, TN 37115

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hands this 30th day of November, 2004.

John Van Mater

Lisa Van Mater

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named John Van Mater and Lisa Van Mater, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he/she executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this 30th day of November, 2004.

My Commission Expires: 01/29/05

Notary Public

PATRICIA NICHOLLS
NOTARY PUBLIC AT LARGE
DAVIDSON COUNTY, TENN.